

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

at 3

REGAL GAMES, LLC,

Plaintiff,

v.

SELLERX EIGHT GmbH d/b/a
SELLERX,

Defendant.

Civil Action No. 1:22-cv-07455-ER

Hon. Edgardo Ramos

**PLAINTIFF'S NOTICE OF MOTION FOR PARTIAL RELIEF FROM THE COURT'S
OPINION AND ORDER (DOC. NO. 28) UNDER FED. R. CIV. P. 60(b)**

Pursuant to Federal Rule of Civil Procedure 60(b), Plaintiff Regal Games, through its attorneys, Messing, P.C., respectfully moves for partial relief from the Court's January 25, 2024, Opinion and Order ("Order"). Plaintiff respectfully requests that the Court amend, correct, or vacate its Order holding that the transfer of the Residual Amazon Revenue payment is an arbitrable issue. Plaintiff also seeks other and further relief as the Court deems just and proper, given the circumstances, which are described in detail in Plaintiff's Memorandum of Law In Support Of Its Rule 60(b) Motion, dated March 27, 2024, filed contemporaneously with this motion, and the Declaration of A. Messing In Support of Plaintiff's Rule 60(b) Motion, dated March 27, 2024, also filed contemporaneously with this motion.

Pursuant to the Individual Practices of Judge Edgardo Ramos, Section 2(A)(ii.), a pre-motion conference is not required because a delay in filing the motion might result in the loss of a right.

Dated: New York, New York
March 27, 2024

Respectfully Submitted,

MESSING, P.C.

By: /s/ Alessandra Carcaterra Messing

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Counsel for Plaintiff Regal Games, LLC

Certificate of Service

I hereby certify that on March 27, 2024, I caused the foregoing document to be served, via CM/ECF, to all counsel of record in this action.

/s/ Alessandra Carcaterra Messing

Alessandra Carcaterra Messing

SellerX is directed to respond to the motion by 4/18/24, and Regal Games is directed to reply by 4/25/24. SO ORDERED.



Edgardo Ramos, U.S.D.J.

Dated: 3/28/24

New York, New York